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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/395,262	09/14/1999	ARLIN R. JONES	10990268-1	5734

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EXAMINER

LEE, CHEUKFAN

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/395,262

Applicant(s)

Examiner

Cheuk-fan Lee

Group Art Unit

2622

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 9-14-99.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-22 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-22 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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1. Claims 1-22 are pending. Claims 1, 13 and 18 are independent.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Ogura et al. (U.S. Patent No. 4,908,664).

Regarding claims 1-22, Applicant's prior art scanning device, discussed on page 1 of the specification, is the type of device that move an object to be scanned relative to a fixed or stationary optical sensor.

In the prior art scanning device, the optical sensor is not moved by a distance covered during the accelerating and/or decelerating period in order to generate high quality image data.

Ogura et al. discloses scanner and a method for using the scanner where an optical unit (53) is repositioned along the subscanning direction by a distance covered during a time period including the deceleration time period in order to start or restart scanning from a point on a document proper to produce high quality image data. Original documents (01, 02) are placed end to end on a platen (4) to be scanned by scanner elements including an optical unit (103) (Figs. 3 and 4). In operation, the optical unit (53) moves in the subscanning direction which is parallel to

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the platen (4). During the course of scanning, the optical unit (53) accelerates for a distance (12) and then starts to scan the first document (01) at a constant speed for a distance (11). At the end of the distance (11) at point A, the optical unit (53) decelerates for a distance (13) until it stops at point D (Fig. 4). The optical unit (53) is repositioned or moved by the distance, including the deceleration distance (13), from point D where it stops to point E where the optical unit (53) accelerates again to scan the document (02), so that the optical unit (53) starts scanning at the proper point on the document (02) after decelerating, stopping and then accelerating (col. 7, line 50 - col. 8, line 20).

Ogura et al. teaches moving the scanning unit (optical unit), after decelerating and stopping, to a proper point on the document along the subscanning direction so that a point or section of a document is properly scanned to generate high quality image data.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the idea of Ogura et al. to move the optical sensor of Applicant's prior art scanning device by a total distance covered by the movement of the document transported during the accelerating and decelerating time period of the motor which drives the transporting means for transporting the document in order to generate high quality image data from the section of the document moved during the accelerating and decelerating time period.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Ono (U.S. Patent No. 5,444,555) discloses an image reading apparatus and method for reading a document during acceleration or deceleration of a stepping motor.

Matteson (U.S. Patent No. 4,367,493) discloses a raster scanner apparatus and method which reads image data to a buffer during acceleration or deceleration of a motor.

Harada et al. (U.S. Patent No. 5,499,804) discloses a paper conveying device and method.

Furuoya (U.S. Patent No. 5,805,294) discloses a document size detection by prescan having an acceleration region.

Miyajima (U.S. Patent No. 6,388,777) discloses a digital image reading apparatus.

Nagano et al. (U.S. Patent No. 6,160,636) discloses an image reading apparatus.

Bell (U.S. Patent No. 4,748,514) discloses a variable rate scanning control method for controlling a document scanner.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee at telephone number (703) 305-4867.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at telephone number (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry)

(703) 308-5397 (for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

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Sept. 23, 2002



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